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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,043	06/14/2001	Satoshi Matsushita	04329.2581	5946
22852	7590	10/03/2003		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 1300 I STREET, NW WASHINGTON, DC 20005			EXAMINER FLETCHER, MARLON T	
			ART UNIT	PAPER NUMBER
			2837	

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/880,043

Applicant(s)

MATSUSHITA, SATOSHI

Examiner

Marlon T Fletcher

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-9,11,15-18 and 20-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-9,11,15-18 and 20-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. Claims 1-4, 6-9, 11, 15, 18, and 20-26, are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (6,134,667) in view of Mayer (4,085,594).

Suzuki et al. disclose a computer system comprising: a first heat generating element (11) in which a heat generation amount is changed; a second heat generating element (19); a fan (21) configured to cool the first and second heat generating elements; a first temperature sensor (sensor A) configured to detect a temperature of the first heat generating element; a second temperature sensor (sensor B) configured to detect a temperature of the second heat generating element; and a controller configured to control a rotation speed of the cooling fan, based on the temperatures detected by the first and second temperature sensors (figures 7-10). Suzuki et al. further disclose the computer system, wherein the controller includes a first control flag which is switched on/off in accordance with a change of the temperature detected by the first sensor, and a second control flag which is switched on/off in accordance with a change of the temperature detected by the second sensor, and the rotation speed of the cooling fan is determined in correspondence with a combination of states of the first and second control flags as discussed in column 6, lines 28-58. Suzuki et al. disclose power control as discussed in column 6, lines 17-27. Suzuki et al. disclose temperature detection of the CPU (11). Suzuki et al. further disclose fan speed rotation based on detected temperatures, wherein three speed operations 1, 2, 3, are provided based on the

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temperature increase, wherein an increase in temperature causes an increase in fan speed (figure 7). Suzuki et al. does not directly recite power shutoff based on the temperature nor power supply temperature detection.

However, Mayer discloses a fan control system, wherein shutoff of power based on exceeded temperature is provided (column 4, lines 21-25).

Official Notice is taken with respect to it being well known to sense temperature of the power supply.

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the teachings of Mayer with the apparatus of Suzuki et al., because the teachings allow power to be shut off in the event of excessive temperature.

Response to Arguments

2. Applicant's arguments filed 07/10/2003 have been fully considered but they are not persuasive. The arguments have been carefully reviewed. However, the examiner believes that the claimed limitations are met by the references. The applicant argues the combination. The references are related to the same, providing cooling using fans under temperature control means. References are provided below in regards to the Official Notice of power shut-off or termination based on temperature.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following references are supplied in relation to the official notice taken in the previous office action. The references are as follows:

Jeske (5,731,674)

Feldtkeller (6,111,379)

King et al. (5,529,112)

Buchanan, Jr. et al. (5,525,,878)

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marlon T Fletcher whose telephone number is 703-308-0848. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Nappi can be reached on 703-308-3370. The fax phone numbers

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for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.



Marlon T. Fletcher
Primary Examiner
Art Unit 2837

MTF
September 22, 2003